Exhibit 12

	UNITED STATES	DISTRICT COURT
	DISTRICT	OF HAWAII
WAY	NE BERRY	JUDGMENT IN A CIVIL CASE
	Plaintiff(s),	Case: CV 01-00446SPK-LEK
	V.	FILED IN THE UNITED STATES DISTRICT COURT DISTRICT OF HAWAII
FLEM FLEM AND CORF	MING COMPANIES, INC., aka MING FOODS, INC., aka MING, DOE INDIVIDUALS 1-50 DOE PARTNERSHIPS, PORATIONS AND OTHER TIES 1-20	January 20, 2005 At 4 o'clock and 00 min p.m. WALTER A.Y.H. CHINN, CLERK
	Defendant(s).	
[/]	Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict. Decision by Court. This action came for consideration before the Court. The issues have been considered and a decision has been rendered. IT IS ORDERED AND ADJUDGED that Judgment is entered in favor of Plaintiff	
	Wayne Berry in the amount of \$98,250 Freight Control System Software; and it Crystal Reports Software and Fleming Verdict Form" filed March 6, 2003 and December 27, 2004. IT IS FURTHER ORDERED AND AI Berry the prevailing party for purposes \$28,368.79 and costs of \$17,217.93 for "Order Denying Defendant's Motion F Motion for Award of Attorneys' Fees a	2.00 against Defendant Fleming Companies as to in favor of Defendant Fleming Companies as to PO.EXE Software pursuant to the "Special I the "Order Denying Post-Trial Motions" filed on DJUDGED that the Court finds Plaintiff Wayne of 17 U.S.C. § 505 and awards attorneys' fees of a total award of \$45,586.72 pursuant to the for Attorneys' Fees and Granting in Part Plaintiff's and Full Costs" filed on December 28, 2004.
	cc: all counsel of record	
	January 20, 2005	WALTER A.Y.H. CHINN
Date	0 000000 000000000000000000000000000000	Clerk MMS Mag

07634-WHP COURTS HAWAII 1-103 Filed 08/28/2007 (1989) Filed 08/28/2007

IN THE UNITED STATES DISTRICT COUR WALTER A

FOR THE DISTRICT OF HAWAII

WAYNE BERRY,) CIVIL NO. 01 00446 SPK LEK
Plaintiff,)
vs.)
FLEMING COMPANIES, INC., aka FLEMING FOODS, INC., aka FLEMING, DOE INDIVIDUALS 1-50 AND DOE PARTNERSHIPS, CORPORATIONS AND OTHER ENTITIES 1-20,) SPECIAL VERDICT FORM))))))
Defendants.)))

SPECIAL VERDICT FORM

FREIGHT CONTROL SYSTEM SOFTWARE A.

Has Plaintiff Wayne Berry proven by a preponderance of the evidence 1. that he is the owner of the copyright to the Freight Control software attached to Exhibit 221?

Yes X	No
-------	----

If "YES" go to next question. If "NO", skip to section B.

2.	Did Fleming Companies, Inc. prove by a preponderance of the evidence that it has a valid license for the use of the Freight Control		
	software.	·	1. A. C.
	Yes	No	•
	If "YES" go to next question. If "NO" go to question 4.		
3.	Did Wayne Berry prove by a p Fleming made unauthorized ch		
	Yes	No	
	If "NO" skip to section B. If "YES" go to next question.	÷,	
4.	Was the infringement of the Fi willful?	eight Control software copy	right
	Yes	No	
	Go to the next question.		
5.	What amount of damages is Winfringement of Freight Control	-	e
	499,250.00		

CRYSTAL REPORTS SOFTWARE B.

1.	Has Plaintiff Wayne Berry proven by a preponderance of the evidence that he is the owner of the copyright to the Crystal Reports software attached to Exhibit 222?	
	Yes	No
	If "NO", skip to section C. If "YES" go to next question.	
2.	evidence that it has a valid lice software.	prove by a preponderance of the nse for the use of the Crystal Reports
	Yes	No
	If "YES" go to next question. If "NO" go to question 4.	
3.	Did Wayne Berry prove by a pr Fleming made unauthorized ch	reponderance of the evidence that anges to the Crystal Reports software.
	Yes	No
	If "NO" skip to section C. If "YES" go to next question.	
4.	Was the infringement of the Cr willful?	ystal Reports software copyright
	Yes	No
	Go to the next question.	

C.

5.	What amount of damages is W infringement of Crystal Report	
FLE	MINGPO.EXE SOFTWARE	
1.	Has Plaintiff Wayne Berry proven by a preponderance of the evidence that he is the owner of the copyright to the FlemingPO.exe software attached to Exhibit 223?	
	Yes	No
	If "YES" go to next question. If "NO", skip to the end.	
2.	Did Fleming Companies, Inc. pevidence that it has a valid lice software.	prove by a preponderance of the nse for the use of the FlemingPO.exe
	Yes	No
	If "YES" go to next question. If "NO" go to question 4.	
3.	Did Wayne Berry prove by a p Fleming made unauthorized ch	reponderance of the evidence that langes to the FlemingPO.exe software.
	Yes	No X
	If "NO" skip to the end. If "YES" go to next question.	

4.	Was the infringement of the FlemingPO.exe software copyright willful?	
	Yes	No
	Go to the next question.	
5.	What amount of damages infringement of FlemingPo	is Wayne Berry entitled to for the O.exe software?
1.4	and date this Special Verdic	et Form.
Jury Foren	Mulic	Carol Ho akimoto
-5	ce	atsa
Muy	2 John D	Mat fluid
7		The land
		Date 3/6/03